

REMARKS

The Office communication states that the response received April 28, 2004 is not fully responsive because it does not "include arguments pointing out specific distinctions believed to render the new claim(s) 8-13, both dependent ... and independent, as being patentable of the applied reference." With this paper, claim 9 is corrected to recite an "end session address" instead of a "start session address," system claim 10 is changed to correct the recitation of a "pricetag link" to a "third-party link," and system claims 11 and 12 are corrected to depend from system claim 10, not method claim 8. The claims are otherwise as received by the Office on 28 April 2004, and so claim 1-13 are in the case.

The applied reference is Dedrick (U.S. Pat. No. 6,016,509).

New claim 8 and new claim 9 (now corrected) both depend from claim 1, which includes the recitation: "wherein the third-party link and the start-session link are links on respective pages for presentation to the consumer by a browser hosted by equipment operated by the consumer," hereinafter called the *link recitation*. New (and now corrected) claim 10 also includes the link recitation. New (and now corrected as noted above) claims 11 and 12 depend from claim 10. New claim 13 also includes the link recitation.

Thus, all of the new claims now make express--directly or by virtue of including the limitations of any claims from which they depend--that the "links" recited in the claims are links on respective pages for presentation to a consumer by a browser hosted by equipment operated by a consumer. Two links in particular are recited: a link for first redirecting a consumer (equipment) from a vendor to a third party (server), i.e. a

third-party link; and a link from the third party to the location (on a server connected to the network) where information resides, i.e. a *start-session link*. Further, all of the new claims--directly or by virtue of including the limitations of any claims from which they depend--recite that the third-party link and the start-session link are either exercised (in the new method claims) or made available (in the new system claims). Thus, according to all of the new claims in the application, a consumer exercises (or can exercise) a third-party link and so connect to a page of a third-party, and while linked to the third party, exercise (or have the option of exercising) a start-session link that redirects the consumer to information for which access is to be billed based on the duration of access, and which simultaneously triggers timing of access to information by the third-party server, and so makes possible billing for timed access.

Dedrick never once discloses the exercise of a link as that term is defined in all the new claims of the application, let alone a third-party link or a start session link. Dedrick discloses only a consumer connecting to a metering server to access information made available by a publisher via a clearinghouse server, and although Dedrick mentions that the metering server can charge a cost that may be "pay per time" (col. 2, ll. 13-14, and see also col. 5, l. 2 and l. 20, and col. 7, ll. 45-48), Dedrick never once mentions any mechanism by which the timing is facilitated (either the starting of a timer or the stopping of a timer). There is no teaching or suggestion by Dedrick of ever using a link, as that term is now defined in the claims; there is no teaching of a consumer, when connected to a vendor of information, exercising a third-party link as that term is defined in the claims; and there is no teaching of a consumer, when connected to a third-party, exercising a start-session link

as that term is defined in the claims. Dedrick simply fails to teach or suggest either redirection of a consumer--via exercise of a first link on a (web) page--from a vendor/ clearinghouse server/ publisher to a metering server/ third-party, and also fails to teach redirection, via exercise of a second link, from the metering server/ third-party to the information made available by the vendor.

The metering by Dedrick to determine how much time is spent viewing information--in the case illustrated, the information being an electronic advertisement--is only said (col. 8, ll. 55-57) to be accomplished by having the "metering process ... monitor the amount of time an end user spends viewing [the] electronic advertisement." No mechanism by which the "monitoring" is to be performed is ever disclosed, let alone the mechanism provided by the invention, i.e. relying on a third-party link and a start-session link. Applicant supposes that the monitoring is made possible by the fact that, as described at col. 2, ll. 46-64, the consumer of information/ client computer 12 is connected to the information/ clearinghouse server 20 through the metering server 14, with the metering server and client computers interconnected as nodes of a local area network (see col. 2, line 5). In contrast, in the present invention, no such arrangement is required, thanks to the use of links. In the invention, the consumer is first redirected from a vendor to a third-party via a third-party link, and then exercises a link--the start-session link--by which the third-party redirects the consumer to the information and also knows to start timing access. There is no requirement that the consumer be connected to the information through the third-party. There are different possible mechanisms provided by the invention for stopping the timing--recited in claims 8 and 9, and 11 and 12--one based on connecting to an end

session link and the other based on a maximum time of access having been exceeded.

Further in regard to new claims 8 and 9, these are intended to be read together to claim different mechanisms by which to have the third-party stop timing access to information. Claim 8 is distinguished from the applied reference based on its including the limitations of claim 1, from which it depends, and which is distinguished as explained above. Claim 9 is also so distinguished from the applied reference and further recites the use of an end session link, which is nowhere taught or suggested by Dedrick (apparently because of the Dedrick relying on the consumer of information being connected to the information through the metering server).


New claims 11 and 12 are to claim 10 as new claims 9 and 8, respectively, are to claim 1.

For the reasons given above, it is respectfully submitted that new claims 8-13 are distinguished from the applied reference and so patentable over the applied reference.

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